



ANGUS S. KING, JR.
GOVERNOR

STATE OF MAINE
DEPARTMENT OF PUBLIC SAFETY
MAINE EMERGENCY MEDICAL SERVICES
16 EDISON DRIVE
AUGUSTA, MAINE
04330

MICHAEL F. KELLY
COMMISSIONER

JAY BRADSHAW
DIRECTOR

**Investigations Committee Meeting
Wednesday, November 3, 1999
Maine EMS Conference Room, Augusta**

Meeting Minutes

Present: S. Leach, R. Doughty; S. Hayes; C. Pillsbury

Staff: D. White; B. Montejo

1. CALL TO ORDER - The meeting was called to order at 10:48 a.m.

A. Additions/Deletions to the Agenda - Applications - Kevin Meggison; Robert Young

B. Accept Minutes of August 4, 1999 and October 6, 1999, meetings

D. White indicated that the minutes of the August 4, 1999, meeting had not been accepted.

Motion: To accept the minutes of the August 4, 1999 and October 6, 1999, meetings (Doughty; Pillsbury - motion carries).

2. INVESTIGATIONS

A. William George - Case #98-27

The Committee reviewed the investigation report and accompanying documents regarding allegations that EMT-Basic licensee William George failed to treat a cardiac arrest patient according to Maine EMS protocol and that he exceeded his scope of practice by attempting manual defibrillation of the patient.

The Committee noted that Edward Eldridge, M.D., a physician with the Pleasant Point Health Center responded with the Eastport Ambulance Service and directed patient care throughout resuscitation efforts and transport.

Motion: That Maine EMS protocols were not followed on the May 29, 1998, ambulance call performed by Eastport Ambulance Service; that the physician who responded with the Eastport Ambulance Service directed and performed Advanced Life Support (ALS) care in accordance with the physician's assessment of the patient; that the Committee has no reason to disbelieve



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the physician's statements regarding the assessment and care of the patient by

the physician and by William George; and, that incontrovertible evidence does not exist to substantiate a violation of the Maine EMS Rules. Therefore, the Committee directs that this case be dismissed (Hayes; Pillsbury motion carries).

B. Carmel Ambulance Service - update

D. White reported that he has met with members of the Carmel Ambulance Service and regional coordinator, Dan Bahr (in joint meetings) to address the quality of care and service administration issues which were the basis for the complaint against the service. White stated that he is optimistic that the service is making progress and that the issues with the regional medical director and Maine EMS can be resolved through the continued combined efforts of the service, the region and Maine EMS.

C. Augusta Fire Department - Response

The Committee was informed that licensee David Cobb had signed a consent agreement providing for a \$1200.00 fine as a penalty for his practice of EMS patient care without a license. Mr. Cobb's EMT-Paramedic license was renewed following the execution of the consent agreement.

The Committee then reviewed the response by the Augusta Fire Department regarding its failure to identify that David Cobb was providing EMS patient care (on behalf of the Augusta Fire Department) during the period of time in which he did not hold a valid Maine EMS license.

The Committee noted that Chief Bradley of the Augusta Fire Department identified the original case of unlicensed practice and took immediate steps to insure that no other cases of unlicensed practice existed in the department.

Also noted was the department's willingness to discuss a mechanism to insure that cases of unlicensed practice do not recur.

Motion: That the response on behalf of the Augusta Fire Department acknowledges that employees or agents of the City of Augusta were unaware that a member of the department was practicing without a license; that upon discovery of Paramedic David Cobb's practice without a license, Chief Larry Bradley took steps to insure that Mr. Cobb did not respond to calls for medical assistance on behalf of the Augusta Fire Department; that Chief Bradley performed an internal investigation to insure that no other cases of practice without a license existed within the department ; and, that the City of Augusta is willing to discuss a mechanism for monitoring its employees' license status to avoid the recurrence of unlicensed practice. Therefore, should the City of Augusta and the Augusta Fire Department submit to Maine EMS a written plan which provides for the monitoring of employees' license status to insure no recurrence of unlicensed EMS practice and identifies the party directly responsible for instituting and monitoring the plan, and, that the plan receives the approval of the Maine EMS staff, the Committee agrees to terminate its investigation and dismiss the case against the Augusta Fire Department (Hayes; Pillsbury - motion carries 3-0-1, Leach abstains).

The Committee continued its discussion as to Maine EMS' role in assisting services in identifying service members whose licensee had expired. **Consensus of the Committee was that services should be issued letters notifying the service that a service member's license had expired.** D. White stated that he would pursue this change as part of the upcoming modification to the system's (computerized) licensing program.

D. Richard Doughty/Delta Ambulance Service

D. White indicated that he had received information which indicated that licensee Richard Doughty (Maine EMS license #12418) had practiced EMS patient care without a valid license since August 1, 1999.

(Note: This is not Board or Investigations Committee member, Richard Doughty)

Motion: To initiate an investigation of licensee Richard Doughty, Maine EMS license #12418, for practice of EMS patient care without a valid license (Doughty;Hayes - motion carries 3-0-1, Leach abstains)

White requested guidance as to whether Mr. Doughty should be licensed by Maine EMS if he presents the required education and skills lab.

Motion: That Maine EMS not issue a license renewal to Richard Doughty until such time as the investigation against him is resolved (Hayes; Pillsbury - motion carries, 3-0-1, Leach abstains).

The Committee then discussed Delta Ambulance Service's responsibility in this matter (Delta Ambulance Service is Mr. Doughty's employer). According to an October 15, 1999, letter submitted by Delta Ambulance Service (DAS) Executive Director, Tim Beals, upon being informed that a case of practice without a license existed within the Augusta Fire Department, an internal audit of DAS was performed which revealed Doughty's practice without a license. Beals also submitted a copy of DAS' revised policy that insures that practice without a license does not recur within the service and which identifies the DAS employee responsible for insuring compliance with the plan.

Motion: That Delta Ambulance Service acknowledges that an internal audit identified a member of the service who had practiced EMS patient care without a license; that upon discovery of Paramedic Richard Doughty's practice without a license, Director Beals took steps to insure that Mr. Doughty did not respond to calls for medical assistance on behalf of Delta Ambulance Service; and, that Delta Ambulance Service has submitted to Maine EMS a written plan which provides for the monitoring of employees' license status to insure no recurrence of unlicensed EMS practice and which identifies the party directly responsible for instituting and monitoring the plan. Therefore, the Committee finds that Delta Ambulance Service has taken appropriate steps in addressing the matter and that initiation of an investigation is not warranted (Hayes;Doughty - motion carries 3-0-1, Leach abstains).

3. Applications

A. Robert Young

The Committee reviewed information submitted by applicant, Robert Young, who is requesting licensure at the EMT-Basic level and who has a history of a 11/4/98 conviction for shoplifting, Class E.

Motion: That applicant Robert Young receive a letter of warning regarding his 1998 conviction for shoplifting, Class E; that the letter become part of his permanent record at Maine EMS; and that Mr. Young be issued a license if he is otherwise eligible (Hayes;Doughty - motion carries).

B. Kevin Meggison

Staff requested Committee guidance regarding licensee Meggison, who had listed multiple motor vehicle offenses on his application for licensure.

Motion: That licensee Kevin Meggison receive a written warning regarding his history of multiple motor vehicle offenses and that future offenses may result in disciplinary action in regards to his licensure as an EMS provider in the State of Maine (Hayes;Doughty - motion carries).

4. Other

A. Update on current cases

D. White reviewed the 3 year summary of investigations that had been distributed at the 11/3/99 Board meeting. He indicated that the average time for completing investigations - from initiation to closure - has been 2.7 months per case (for cases initiated and closed since 1/98).

5. NEXT MEETING

A. Set Agenda - To be set prior to meeting

B. Set Date and Time - The next meeting of the Committee will be on December 1, 1999, following the Maine EMS Board meeting.

6. ADJOURNMENT - The meeting was adjourned at 12:14 p.m.

Respectfully Submitted,

Drexell White